



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
February 27, 2012

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Stipulated Order Approving Compromise
Settlement of Roy R. Ventura, Jr., and
Nancy B. Ventura Proofs of Claim**

The Stipulated Motion for Approval of Compromise Settlement of Proofs of Claim of Roy R. Ventura, Jr., and Nancy B. Ventura [DE 9719] ("Stipulated Motion") to settle Proofs of Claim No. 10725-00638 and 10725-00639 filed by Roy R. Ventura, Jr., and Nancy B. Ventura ("Ventura") came before the Court for consideration. No notice being necessary and good cause appearing,

IT IS ORDERED:

- Approving the Stipulated Motion;
- Ventura Proof of Claim No. 10725-00639 is a duplicate to Proof of Claim No. 10725-00638 and is therefore disallowed in its entirety;

- Ventura Proof of Claim No. 10725-00638 in the amount of \$155,828 is allowed in part in the amount of \$34,750. The remainder of that proof of claim is disallowed;
- The Venturas' responses [DE 8930, 9220, 9221 and 9222] to certain omnibus objections to allowance of claims filed by the USACM Trust and those objections [DE 8570, 8872, 8885 and 8900] are declared moot as they relate to the Venturas' Proofs of Claim;
- Based upon the allowed general unsecured claim in the amount of \$34,750.00, the Trust is authorized to make a 4.92% distribution (\$1,709.70) to Venturas as the *pro rata* share of the funds reserved by the Trust from the initial creditor distribution. All other funds reserved for the Venturas claims will be made available to the Trust for whatever purpose is appropriate in the administration of the Trust;
- Venturas will share in future distributions pro rata based upon the allowed claim of \$34,750.00;
- This order will supersede any previous orders by this Court that might be deemed to be in conflict with this order; and
- Each party shall bear their own costs and attorneys fees.

PREPARED AND RESPECTFULLY SUBMITTED BY:

LEWIS AND ROCA LLP

By /s/ John Hinderaker (AZ 018024)
Robert M. Charles, Jr.
John Hinderaker (*pro hac vice*)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone: (702) 949-8320
Facsimile: (702) 949-8321

Attorneys for USACM Liquidating Trust

1 AGREED, AND APPROVED AS
2 TO FORM AND CONTENT

3
4 /s/ Katie A. Bindrup
Katie A. Bindrup
5 Matthew L. Johnson & Associates, P.C.
Lakes Business Park
6 8831 West Sahara Avenue
Las Vegas, NV 89117
7 (702) 471-0065
(702) 471-0075 facsimile
8 kbindrup@mjohnsonlaw.com

9 # # #